

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PAUL J. McNALLY, as he is TRUSTEE,
MASSACHUSETTS LABORERS' HEALTH AND
WELFARE FUND and NEW ENGLAND LABORERS'
TRAINING TRUST FUND; JAMES MERLONI, JR.,
as he is TRUSTEE, MASSACHUSETTS LABORERS'
PENSION FUND and MASSACHUSETTS LEGAL
SERVICES FUND; MARTIN F. WALSH, as he is
TRUSTEE, MASSACHUSETTS LABORERS'
ANNUITY FUND,

Plaintiffs

vs.

DERBES REALTY TRUST,
Defendant

and

WEYMOUTH CO-OPERATIVE BANK,
Trustee

C.A. No. 03-12609 DPW

**MOTION FOR EXTENSION OF TIME TO FILE
FOR ENTRY OF DEFAULT JUDGMENT**

Plaintiffs Paul J. McNally, as he is Trustee, Massachusetts Laborers' Health and Welfare Fund, et al, herein respectfully move this honorable Court for a final extension of time in this matter, until September 30, 2004, in which to file Plaintiffs' Motion for Entry of Default Judgment. As grounds therefore, Plaintiffs state as follows:

1. The parties have made a commitment to resolve the above-captioned matter. Due to vacation schedules and other circumstances beyond the parties' control, the parties have not yet been able to meet to discuss the underlying issues and to arrive at a resolution. However, the parties are diligently working to find a mutually-convenient time in which to meet.

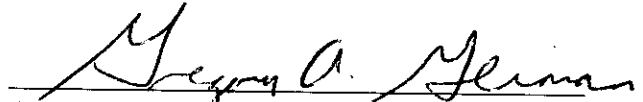
2. Judicial resources, as well as the parties' resources, will be conserved if the matter can be settled promptly and efficaciously.

WHEREFORE, Plaintiffs seek a final extension of time until September 30, 2004 in which to file for Entry of Default Judgment in this matter.

Respectfully submitted,

PAUL J. MCNALLY, as he is
TRUSTEE, MASSACHUSETTS
LABORERS' HEALTH AND WELFARE
FUND, et al,

By their attorneys,



Anne R. Sills, Esquire

BBO #546576

Gregory A. Geiman, Esquire

BBO #655207

Segal, Roitman & Coleman

11 Beacon Street

Suite #500

Boston, MA 02108

(617) 742-0208

Dated: August 5, 2004

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion for Extension of Time to File for Entry of Default Judgment has been served by certified and first class mail upon Derbes Realty Trust at 44 Branch Street, Quincy, MA 02169 this 5th day of August, 2004.



Gregory A. Geiman, Esquire